

Remarks/Arguments

We thank the examiner for taking the time to speak with the undersigned on Friday Sept 8, 2006. Also present at the interview was Curt Dodd, US registration number 56, 640, who is IP Counsel for the assignee of the present application. We discussed the Bell reference (U.S. Patent No. 6,606,666), claim 1, the rejection to claim 1, and embodiments of the present invention with reference to figure 6 and page 14 of the present application.

The examiner agreed that the Bell reference does not teach a switch fabric, but stated he did not give patentable weight to the stream switch fabric language as it was only in the preamble of the claim. Independent claims 1, and 19 have been amended to recite stream switch fabric within the body of the claim, as suggested by the examiner. In addition, we highlighted to the examiner that the Bell reference does not teach properly ordered substreams of data comprising data reconstituted from a flow of packets. Method claim 21 has been amended to recite said properly ordered substreams of data comprising data reconstituted from a flow of packets, as suggested by the examiner. New apparatus claim 37, with similar language has been added. The examiner suggested such amendments would overcome the current rejections.

In addition, in response to the double patenting rejection, Applicant submits herewith a Terminal Disclaimer to obviate the provisional double patenting rejection set out in the Office Action.

We still believe that the original claims are patentable over the claimed reference. However, we are making the enclosed amendments rather than appealing as we believe such amendments do not in any way surrender claim scope. Applicant submits that all of the claims are patentable over the cited art, for the reasons already provided and favorable disposition to that effect is respectfully requested.

The Commissioner is hereby authorized to debit \$130.00 from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP, representing the fee for the Terminal Disclaimer. The Commissioner is hereby authorized to charge any additional fees, and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,

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/Jeffrey M. Measures/

By: _____

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